

IC 16-32-3

Chapter 3. Rights of Blind and Other Physically Disabled Persons

IC 16-32-3-1

Public policy

Sec. 1. It is the policy of this state to encourage and enable the blind, the visually disabled, and the otherwise physically disabled to participate fully in the social and economic life of the state and to engage in remunerative employment.

As added by P.L.2-1993, SEC.15. Amended by P.L.23-1993, SEC.65.

IC 16-32-3-2

Public accommodations; guide dogs

Sec. 2. (a) As used in this section, "public accommodation" means an establishment that caters or offers services, facilities, or goods to the general public.

(b) A:

- (1) totally or partially blind person;
- (2) hearing impaired person; or
- (3) physically disabled person;

is entitled to be accompanied by a guide dog, especially trained for the purpose, in any public accommodation without being required to pay an extra charge for the guide dog. However, the person is liable for any damage done to the accommodation by the dog.

(c) A person who:

- (1) refuses access to a public accommodation; or
- (2) charges a fee for access to a public accommodation;

to a totally or partially blind person, a hearing impaired person, or a physically disabled person because that person is accompanied by a guide dog commits a Class C infraction.

(d) A guide dog trainer, while engaged in the training process of a guide dog, is entitled to access to any public accommodation granted by this section.

As added by P.L.2-1993, SEC.15.

IC 16-32-3-3

Offenses; failure to take precautions to avoid injury to blind pedestrian; unauthorized carrying of cane

Sec. 3. (a) A person not totally blind who:

- (1) approaches a totally or partially blind pedestrian carrying a cane predominantly white or metallic in color, with or without a red tip, or using a guide dog; and
- (2) fails to take all necessary precautions to avoid injury to the blind pedestrian;

commits a Class C infraction.

(b) A person not totally or partially blind who carries, in a public place, a cane or walking stick that is white and tipped with red commits a Class C infraction.

As added by P.L.2-1993, SEC.15.

IC 16-32-3-4

White Cane Safety Day

Sec. 4. Each year the governor shall take suitable public notice of October 15 as "White Cane Safety Day". The governor shall issue a proclamation in which the governor does the following:

- (1) Comments upon the significance of the white cane.
- (2) Calls upon the citizens of Indiana to observe the provisions of the white cane law and to take precautions necessary to the safety of the disabled.
- (3) Reminds the citizens of Indiana of the policies with respect to the disabled and urges the citizens to cooperate in giving effect to the policies.
- (4) Emphasizes the need of the citizens to do the following:
 - (A) Be aware of the presence of disabled persons in the community.
 - (B) Keep safe and functional for the disabled the streets, highways, sidewalks, walkways, public buildings, public facilities, other public places, places of public accommodation, amusement, and resort, and other places to which the public is invited.
 - (C) Offer assistance to disabled persons upon appropriate occasions.

As added by P.L.2-1993, SEC.15.

IC 16-32-3-5

Public employment; terms and conditions

Sec. 5. It is the policy of this state that the blind, the visually disabled, and the otherwise physically disabled shall be employed in:

- (1) the state service;
- (2) the service of the political subdivisions of the state;
- (3) the public schools; and
- (4) all other employment supported in whole or in part by public funds;

on the same terms and conditions as the able-bodied, unless it is shown that the particular disability prevents the performance of the work involved.

As added by P.L.2-1993, SEC.15. Amended by P.L.23-1993, SEC.66.